



**Common Council Meeting Minutes
Tuesday, September 20, 2022, at 6:30 p.m.
Chilton City Hall – Lower Level
42 School St., Chilton, WI 53014**

Pursuant to Section 19.84(2) and (3) of the Wisconsin State Statutes, notice is hereby given to the public, to the Tri-County News, the official newspaper of Chilton, and to those news media who have filed a written request for this notice that a meeting of the above-referenced was held at the date, time and location listed above.

This meeting was conducted both in City Hall and via remote conferencing due to a State of Emergency and federal, state, and local guidance on gatherings. Members of the public may join meeting through a Zoom link or call +1 312 626 6799 US (Chicago), Meeting ID: 970 4854 9352, Password: 434719.

Notice is hereby given that much of the Common Council of the City of Chilton, or a standing committee of that body were present at this meeting to gather information about the subject matter which they have decision making responsibility.

The above governmental body met to discuss and possibly act on the following agenda items as set forth below:

The regular meeting of the Chilton Common Council held at the Chilton City Hall was called to order at 6:30 p.m. by Mayor Tom Reinl.

ROLL CALL:

Council members Ron Gruett, Peggy Loose, Kathy Schmitzer, Robbie Seipel, Rick Jaeckels, Jon Kragh, and Joe Schoenborn were present at roll call. Other city officials present were Mayor Tom Reinl, City Administrator David DeTroye, Police Chief Craig Plehn, DPW Chris Marx, and Attorney Derek McDermott.

Also in attendance was Betty Schilling.

Those in attendance recited the Pledge of Allegiance.

AGENDA: Motion by Jaeckels seconded by Gruett and carried by unanimous voice vote to approve the Common Council Agenda for September 20, 2022, as presented.

REPORT OF OFFICERS:

MAYOR – Tom Reinl –

- Red Ribbon Proclamation was read by Mayor Reinl.
- League of Wisconsin Municipality Retirement Proclamation was read by Administrator DeTroye.
- VFW/Legion – 2023 Memorial Day Service Fly-Over Permission Letter – Mayor Reinl informed the council that he instructed Administrator DeTroye to prepare a letter to the VFW granting them permission to apply for funds to offset the costs of a fly-over on Memorial Day.
- Mayor Reinl complimented SC-Swidorski on their groundbreaking event on September 13, 2022.

CITY ADMINISTRATOR - David DeTroye –

- SC- Swidorski groundbreaking 9/13/2022
- Attended League of Wisconsin Municipalities Roundtable meeting on 9/13/22 in Ashwaubenon to discuss State budget shortfalls with municipalities.
- Will be Attending the WI Economic Development Summit in Appleton on 9/21/22.
- Made mention that final approvals are being delivered to city hall for the Chillington Meadows as well as Bantr/Lockre housing projects within the city.

DIRECTOR OF PUBLIC WORKS – Chris Marx –

- All materials to repair well # 11 are in place and will begin soon.
- Duplex on Donna Street has a foundation and construction will begin soon.

- Update on Dairyland Project
 - TID # 6 pond complete other than final landscape.
 - Geiser Way has been shaped and is awaiting base stone.
 - Water & Sewer mains are complete on Irish Road and Geiser Way.
 - Sanitary Sewer lines will be starting next week adjacent to Hwy 151.
 - Contract on schedule and should be complete by 10/31/22
- Discussed first issue pertaining to SC-Swidorski project. The city has agreed to cost share to move a water main that is in the way of a proposed sanitary sewer line for the housing development. It will be an additional \$5,337.40 expense to TID # 6.

CHIEF OF POLICE – Craig Plehn –

- Police department was audited by the CIB and passed the inspection. The IT was deemed secure with policies and procedures in place. Audit is good for two years.
- Park cameras were installed. Still some issues to work out with WIFI to allow continual viewing.
- Chief Plehn gave an update on staffing.
- Reported on the first ATV/UTV accident on city streets.
- Chief Plehn gave an update on continuing issues arising at the Thunderbird Motel. Owners of the operation met with city officials.

Minutes: Motion by Loose, seconded by Schmitzer and carried by unanimous voice vote to approve the minutes of the council meeting held on August 16, 2022.

Operator Licenses – Motion by Loose seconded by Jaeckels and carried by unanimous voice vote to approve the operator's licenses for Gina Altendahl, Sheila Sohn, Madisan Langenhahn, Cheyenne Belflower, and Patricia Wolf.

Payment of Bills: Motion by Jaeckels, seconded by Gruett to pay all bills.

Roll Call Vote: Gruett, Jaeckels, Loose, Seipel, Kragh and Schoenborn all cast Aye votes. Schmitzer abstained. 6 – 0 motion carried.

August Financial Report – Motion by Loose, seconded by Schoenborn and carried by unanimous voice vote to approve the August financial statement as reported.

Audience Participation: None

New Business:

1. Special Event Permit – Chilton School District – Homecoming Parade – September 30 – Motion by Schoenborn, seconded by Jaeckels and approved by unanimous voice vote to approve the Special Event Permit for the Chilton School District Homecoming Parade on September 30, 2022.
2. Ordinance -1199 – Amending Ordinance -1198 & Chapter 31 Taxation – Hotel/Motel Permit Fee Structure & Due Date – Amending Ordinance -1198 to change the annual fee from \$20 to \$50 and registration deadline for lodging facilities from July 1 to December 15. Motion by Schmitzer, seconded by Jaeckels to approve Ordinance -1199 and wave the reading. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
3. Expansion of Alcohol Beverage License for Special Event – Pla-Mor Lanes – 10/8/22 – Motion by Loose, seconded by Jaeckels and carried by unanimous voice vote to approve the extension of premise permit for Pla-Mor Lanes for the special event on 10/8/22.
4. Sale of Black Dirt TID #6 - Motion by Loose, seconded by Seipel to approve the sale of black dirt pile in TID # 6 to G&H Excavating at a rate of \$2 per cubic yard with a contract to be drafted with review by Attorney McDermott. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
5. South Madison Street Reconstruction & Reed Street Modification Proposals – McMahon Engineering – DPW Marx described two separate agreements for professional services from McMahon Engineering. The first is for the design, topography, engineering, and bid services for the 2023 South Madison Street Reconstruction project. The second is for the Reed Street Stormwater project review. The South Madison proposal was for \$42,050.00 and the Reed Street project total was \$ \$3,275.00. Funds for the services would be taken from the utility for the South Madison Project and from non-lapsing street accounts for the Reed Street Project. Marx informed the council that 14 lead water lines would be replaced in the South Madison project, and that the county will be paying for all the road work. Motion by Schmitzer, seconded by Loose to approve the total cost of \$45,325.00 for professional services to

McMahon Engineering for the South Madison reconstruction project and the Reed Street stormwater review with funds to be taken from the appropriate accounts for each. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.

6. Resolution # 1890 – Special Charges for Water & Sewer Line Replacement – 50 Lehner Street – Motion by Schmitzer, seconded by Loose to approve Resolution # 1890 and payment to Ditter Plumbing for \$8,594.00 for water and sewer work completed at 50 Lehner Street. The resolution enacts special charges to the property and payments will be deferred and added to the tax roll. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
7. TID # 6 – Change Order – Stormwater Retention Pond – DPW Marx explained the required change order that is needed for blasting of ledge rock in the retention pond expansion project in Dairyland Estates. The blasting will add additional charges of \$61,380.00 to the TID project but will be offset by approximately \$21,000.00 in savings. All told, the TID will realize an approximate additional charge of \$40,000.00 for change order number 2. Motion by Schoenborn, seconded by Schmitzer to approve change order # 2 of the Irish Road project at an approximate cost of \$40,000.00 to be paid by TID # 6 funds. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
8. Loan Forgiveness Request – Mike Gerhartz – 24 W. Main Street – A form letter asking for loan forgiveness on a note owed to the city was presented to the council by Mike Gerhartz, owner of the property at 24 West Main Street, on behalf of Hilde's Deli. The original loan of \$50,000 was issued in 2011 and has a balance of \$14,753.08. Discussion ensued. Motion by Jaeckels, seconded by Schmitzer to deny the loan forgiveness for Hilde's Deli on the property located at 24 West Main Street. Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.

Report of Committees – Planning Commission:

1. Amendment of Conditional Use Permit – Colancy Property LLC c/o – TS Chilton LLC - 519 N. Madison Street - With a pending sale of the business and plan for redevelopment, the owner of 519 North Madison Street submitted a request to amend portions of the existing conditional use permit to facilitate future development. The council reviewed each of the points and referenced them to current municipal code. Being that all points of interest referenced chapter 40 – 79 of the municipal code, the council concluded that one motion would suffice. Motion by Schmitzer, seconded by Gruett to approve the amendment of the conditional use permit for 519 North Madison Street to include allowance of stacking goods within the fenced outdoor display area higher than the 8-foot fence, to allow the display of merchandise in the permanent trailer and equipment display area, to allow the sale of trailers, pedal boats, and other motorized vehicles including mini bikes, dirt bikes, scooters, UTV's and ATV's in the outside display area, and also allow the sale of hay and forage within the commercial zone. Additional discussion ensued as to the safety of the inside forage area. Fire and rodents were of concern. Voice vote was 7 – 0 in favor.
2. Planning Commission Monthly Meeting Time – Mayor Reinl was asking for flexibility in scheduling Planning Commission meetings when public input is not necessarily a factor in any of the decisions to be made. With much of the commission retired, afternoon meeting times would be appropriate. Motion by Schmitzer, seconded by Jaeckels to approve flexibility in scheduling future planning commission meetings that do not require public input. Voice vote was 7 – 0 in favor.

Old Business:

1. Motion by Loose, seconded by Schoenborn to move into closed session at 7:17 pm under WI Statutes 19.85 (1) (e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Retention Pond Dispute TID 6 update) Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
2. Motion by Schoenborn, seconded by Schmitzer to return to open session at 7:38 pm – Poll vote – Schmitzer, Loose, Seipel, Gruett, Kragh, Schoenborn, and Jaeckels all cast aye votes. 7 – 0 motion carries.
3. Any action from Closed Session - None

Communication:

1. Housing Authority Agenda & Minutes were distributed.
2. August Building Permit Summary was distributed.
3. Library Board Agenda & Minutes were distributed.

Adjournment: Motion by Loose seconded by Schmitzer to adjourn at 7:40 pm.
Unanimous voice vote and carried to approve.

Meeting Minutes Prepared by:
David DeTroye
City Administrator/Clerk/Treasurer